

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

---

In re:

BKY No.: 09-50779

Dennis E. Hecker,

Chapter 7

Debtor.

---

Randall L. Seaver, Trustee,

Adv. Case No.: 09-5042

Plaintiff,

vs.

Jacob Holdings of Ventanas LLC,  
Jacob Properties of Minnesota LLC,  
Wells Fargo Bank, Cornerstone Bank,  
and Chrysler Financial Services Americas, LLC,

Defendants.

---

**STIPULATION TO EXTEND TRIAL DATE**

---

**I. INTRODUCTION**

1. Plaintiff Randall L. Seaver (“Trustee”), and Defendants Wells Fargo Bank (“Wells Fargo”), Cornerstone Bank (“Cornerstone”), and Chrysler Financial Services Americas, LLC (“Chrysler”), by and through their respective undersigned attorneys, hereby enter into the following stipulation.

**II. FACTS**

2. On September 16, 2009, the Trustee commenced an action against Jacob Holding of Ventanas, LLC (“JHV”), Jacob Properties of Minnesota, LLC (“JPM”), Wells Fargo, Cornerstone, and Chrysler (the “Complaint”).

3. On October 1, 2009, the Trustee amended the Complaint (the “Amended Complaint”).

4. Wells Fargo, Cornerstone, and Chrysler answered the Amended Complaint.

5. On November 30, 2009, default judgment was entered against JHV and JPM.

6. On February 5, 2010, this Court entered its order for trial (the “Trial Order”).

7. The Trial Order sets the trial date for this adversary proceeding on May 10, 2010.

8. The Trustee and Wells Fargo have reached a settlement which is being submitted to this Court for approval.

9. The Trustee, Cornerstone, and Chrysler further believe that this action may be resolved through settlement or through related adversary proceedings the Trustee intends to initiate.

10. The Trustee, Cornerstone, and Chrysler believe that any settlement would in part be dependent upon the actual realized proceeds from the sale of the assets at issue in this action.

11. The Trustee, Wells Fargo, Cornerstone, and Chrysler believe a 120-day extension to the trial date would be a prudent measure to provide a sufficient amount of time to finalize the Wells Fargo settlement, to sell the assets at issue in this action, and to pursue or resolve the claims in the related adversary proceedings.

### **III. STIPULATION**

12. The Trustee, Wells Fargo, Cornerstone, and Chrysler stipulate to extend the trial date in the Trial Order 120 days, to a trial date anytime after September 14, 2010.

13. The Trustee, Wells Fargo, Cornerstone, and Chrysler stipulate to extend all pending discovery deadlines and depositions as is necessary to facilitate resolution of this action, such deadlines and depositions being rescheduled between the parties on a case-by-case basis.

14. The Trustee, Wells Fargo, Cornerstone, and Chrysler stipulate to accept such other deadlines as may be imposed by this Court pursuant to a revised scheduling order.

LEONARD, O'BRIEN,  
SPENCER, GALE & SAYRE, LTD.

Dated: April 9, 2010

By: /e/ James M. Jorissen  
Matthew R. Burton, #210018  
James M. Jorissen, #262833  
100 South Fifth Street, Suite 2500  
Minneapolis, Minnesota 55402  
(612) 332-1030

ATTORNEYS FOR RANDALL L. SEAVER  
TRUSTEE

OPPENHEIMER WOLFF & DONNELLY LLP

Dated: April 9, 2010

By: /e/ David B. Galle  
David B. Galle  
45 South Seventh Street  
Suite 3300  
Minneapolis, Minnesota 55402  
(612) 607-7572  
Email: [dgalle@oppenheimer.com](mailto:dgalle@oppenheimer.com)

ATTORNEYS FOR WELLS FARGO BANK

SERKLAND LAW FIRM

Dated: April 9, 2010

By: /e/ Brad A. Sinclair  
Brad A. Sinclair  
10 Roberts St  
PO Box 6017  
Fargo, ND 58108-6017  
701-232-8957  
Fax : 701-237-4049  
Email: [bsinclair@serklandlaw.com](mailto:bsinclair@serklandlaw.com)

ATTORNEYS FOR CORNERSTONE BANK

GRAY PLANT MOOTY MOOTY & BENNETT

Dated: April 9, 2010

By: /s/ Stephen F. Grinnell

Stephen F. Grinnell

80 S 8th Street

Suite 500

Minneapolis, MN 55402

612-632-3000

Fax : 612-632-4444

Email: [stephen.grinnell@gpmlaw.com](mailto:stephen.grinnell@gpmlaw.com)

ATTORNEYS FOR CHRYSLER FINANCIAL  
SERVICES AMERICAS, LLC

419738

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

---

In re:

BKY No.: 09-50779

Dennis E. Hecker,

Chapter 7

Debtor.

---

Randall L. Seaver, Trustee,

Adv. Case No.: 09-5042

Plaintiff,

vs.

Jacob Holdings of Ventanas LLC,  
Jacob Properties of Minnesota LLC,  
Wells Fargo Bank, Cornerstone Bank,  
and Chrysler Financial Services Americas, LLC,

Defendants.

---

**ORDER**

---

Pursuant to the Stipulation between the Plaintiff and Defendants, the deadlines set by this Court in its Order for Trial dated February 5, 2010, are hereby extended 120 days, with a trial date to be set in a subsequently filed amended scheduling order from this Court.

Dated: \_\_\_\_\_

---

Robert J. Kressel  
United States Bankruptcy Judge